



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FORM 4-3

	Docket No840.004
	Anticipated Classification of this application:
	Class Subclass
•	Prior application:
	Examiner: _K. Nguyen
	Art Unit:2506
atent App	lication
	ner of Patents and Trademarks
	n, D.C. 20231
	·
	TRANSMITTAL OF FILING UNDER 37 CFR 1,60(b)
WARNING:	A c-i-p (continuation-in-part) cannot be filed under 37 CFR 1.60.
	Filing under 37 CFR 1.60 is permitted only if filed by the same or less than all the inventors named in the prior application.
	The filing of an application as the United States stage of an International Application requires an oath or declaration. 37 CFR 1.61(a)(4).
WARNING:	The claims of this new application may be finally rejected in the first Office action where all claims of the new application are drawn to the same invention claimed in the earlier application and would have been properly finally rejected on the grounds or art of record in the next Office action if they had been entered in the earlier application. MPEP § 706.07(b).
This is a r	request for filing a
П	Continuation
	Divisional
	under 37 CFR 1.60, of pending prior application
	7/_773,776 filed on10/10/91
ienai no. u	(date)
o L	ohn R Fenn et al
,,	(inventor(s))
MOLE	HOD OF PRODUCING MULTIPLY CHARGED IONS AND FOR DETERMINING ECULES WEIGHTS OF MOLECULES USE OF THE MULTIPLY RGED IONS OF MOLECULES
	CERTIFICATION UNDER 37 CFR 1.10
ited with the	fy that this 37 CFR 1.60 request and the documents referred to as attached therein are being depos- United States Postal Service on this date <u>July 10, 1992</u> in an envelope as lail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label Number 5777 US addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.
	Andrew S. Langsam
	(Type or print/name of person mailing paper)
	(Signature of person mailing paper)
NOTE: E	ach paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label togod thereon prior to mailing (37 CFR 1.10(b)).

(37 CFR 1.60 [4-3]—page 1 of 8)

NOTE: 37 CFR 1.60 permits the omission of a declaration only if the prior application was complete as set forth in 37 CFR 1.51(a), namely, the prior application comprised at least (1) a specification, including a claim or claims; (2) a declaration; (3) drawings when necessary; and (4) the prescribed filing fee. Accordingly, as presently worded, 37 CFR 1.60 does not permit this procedure to be used where the prior application is pending but only the processing and retention fee required by 37 CFR 1.21(I) is paid or where the declaration was not filed. 1. Copy of Prior Application as Filed Which is Attached NOTE: Under 37 CFR 1.60 practice signing and execution of the application by the applicant may be omitted provided the copy is supplied by and accompanied by a statement by the applicant or his or her attorney or agent that the application papers comprise a true copy of the prior application as filed and that no amendments referred to in the declaration filed to complete the prior application introduced new matter therein. NOTE: This statement need not be verified if made by an attorney registered to practice before the PTO. (37 CFR 1.60(b)). I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed (37 CFR 1.60). The copy of the papers of prior application as filed which are attached are as follows: 31 page(s) of specification <u> こ</u> page(s) of claims page(s) of abstract sheet(s) of drawing (Also complete part 6 below if drawings are to be transferred) _____ pages of declaration and power of attorney If the copy of the declaration being filed does not show applicant's signature indicate thereon that it was signed and complete the following: in accordance with the indication required by 37 CFR 60(b) my records reflect that the original signed declaration showing applicant's signature was filed on the amendment referred to in the declaration filed to complete the prior application and I hereby state, in accordance with the requirements of 37 CFR 1.60(b), that this amendment did not introduce new matter therein. **Amendments** WARNING: "The claim of a new application may be finally rejected in the first Office action in those situations where (1) the new application is a continuing application of, or a substitute for, an earlier application, and (2) all the claims of the new application (a) are drawn to the same invention claimed in the earlier application, and (b) would have been properly finally rejected on the grounds or art of record in the next Office action if they had been entered in the earlier application." MPEP § 706.07(b). □ Cancel in this application original claims ______ _ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.) A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.) NOTE: Only amendments reducing the number of claims or adding a reference to the prior application (Rule 1.78(a)) will be entered before calculating the filing fee and granting the filing date. 37 CFR 1.60(b). NOTE: "When filing under Rule 1.60 retain at least one original claim from the patent application to assure a

(37 CFR 1.60 [4-3]—page 2 of 8)

complete application." Notice of March 3, 1986 (1064 O.G. 37-38).

Express Mail No. RB837976777 US July 10, 1992

NOTE: The proper reference to a prior filed PCT application which entered the U.S. national phase is the U.S. serial number and the filing date of the PCT application which designated the U.S.

9. Inventorship Statement

NOTE: If the continuation or divisional application is filed by less than all the inventors named in the prior application a statement **must** accompany the application when filed requesting deletion of the names of the person or persons who are not inventors of the invention being claimed in the continuation or divisional application. 37 CFR 1.60(b) [emphasis added].

(complete appropriate items (a) and (b))

(a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120 the inventor(s) in this application is (are):

			(complete applicable ite	m below)
		\mathbf{k}	the same	
			less than those named in the prior a following inventor(s) identified above	pplication and it is requested that the for the prior application be deleted:
			(Type name(s) of inventor(s) to	be deleted)
(b) The	e inve	entorship for all the claims in this applic	ation are
		xx	the same	•
			not the same, and an explanation, in claims at the time the last claimed inv	ncluding the ownership of the various ention was made, is submitted.
0.	Assi	gnm	ent	
	<u>v</u>	The	prior application is assigned of record	to '
			John B. Fenn	
		an a	assignment of the invention to	
		is a	nttached. A separate "ASSIGNMENT W PATENT APPLICATION" is also atta	COVER LETTER ACCOMPANYING
NO	TE: "i	lf an a on and	ssignment is submitted with a new application, and for the assignment." Notice of May 4, 1990	send two separate letters - one for the applica) (1114 O.G. 77-78).
1.	Fee	Рауп	nent Being Made At This Time	•
		Not	Enclosed	
			No filing fee is submitted. (This and 1.16(e) can be paid subsequently).	the surcharge required by 37 CFF
	\mathbf{x}	Enc	losed	
		NX.	basic filing fee	\$ 927.00
			recording assignment (\$40.00; 37 CFR	
			1.21(h))	\$
			processing and retention fee (\$130.00; 37 CFR 1.53(d)	
			and 1.21(I))	\$

NOTE:	37 CFR 1.21(I) establishes a fee for processing failing to complete the application pursuant to 3 CFR 1.53 and 1.78 indicate that in order to obtain filing fee must be paid or else the processing and from notification under § 53(d).	17 CFR 1.53(d) and this, and the benefit of a prior U.S	as well as the changes to 37 6. application, either the basic
	Total fees enclo	sed	\$ -927.00
12. M	ethod of Payment of Fees		
[enclosed is a check in the amount of	\$ 927.00	_
(charge Account NoA duplicate of this request is attached		f \$
NOTE:	Fees should be itemized in such a manner that 1.22(b).	is clear for which purpos	e the fees are paid. 37 CFR
13. A	uthorization To Charge Additional Fee	s .	•
WARN	IING: If no fees are being paid on filing do not com	nplete this item.	
WARN	ING: Accurately count claims, especially multiple extra claim charges are authorized.	dependent claims, to avoi	id unexpected high charges if
[The Commissioner is hereby authori which may be required by this paper cation to Account No. 02-2105		
		iees)	
	37 CFR 1.16 (b), (c) and (d) (pres	sentation of extra cla	ims)
NOTE:	Because additional fees for excess or multiple detion must only be paid or these claims cancelled od set for response by the PTO in any notice of authorize the PTO to charge additional claim feeter final action.	by amendment prior to the fee deficiency (37 CFR 1.	ne expiration of the time peri- 16(d)) it might be best not to
	☐ 37 CFR 1.17 (application process	sing fees)	
WÄRN	ING: While 37 CFR 1.17(a), (b), (c) and (d) deal we tion should be made only with the knowledge under 37 CFR 1.136(a) is to no avail unless added]. Notice of November 5, 1985 (1060 C	ge that: "Submission of the a request or petition for e	he appropriate extension fee
	37 CFR 1.18 (issue fee at or be to 37 CFR 1.311(b)).	fore mailing Notice	of Allowance, pursuant
NOTE:	Where an authorization to charge the issue fee to of a Notice of Allowance, the issue fee will be au of mailing the notice of allowance. 37 CFR 1.311	itomatically charged to the	_
NOTE:	37 CFR 1.28(b) requires "Notification of any characteristics of any characteristics of any characteristics of any characteristics of an analysis of an analy	prior to paying or at the til tion of change of status n	me of paying issue fee." nust be made even if the fee
14. Po	ower of Attorney		
[The power of attorney in the prior app	plication is to	
Peter		drew S. Langsam	
Attor		Reg. 18,970	Reg. No.

(37 CFR 1.60(b) [4-3]—page 6 of 8)

4 St 3/02 Pub-603 EOPM 4-3 4_48

a. \square The power appears in the original papers in the prior application.

Express Mail No. RB 837976777US July 10, 1992

b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
c. A new power has been executed and is attached.
d. Address all future communications to
Peter L. Berger, et al Levisohn, Lerner & Berger 757 Third Avenue - Rm. 2400 New York, NY 10017 (Item d may only be completed by applicant, or attorney or agent of record)
(Item d may only be completed by applicant, or attorney or agent of record)
15. Maintenance of Copendency of Prior Application
(This item must be completed and the papers filed in the prior application if the period set in the prior application has run)
A petition, fee and response has been filed to extend the term in the pending prior application until
NOTE: The PTO finds it useful if a copy of the petition filed in the prior application extending the term for response is filed with the papers constituting the filing of the Continuation Application. Notice of November 5, 1985 (1060 O.G. 27).
A copy of the petition for extension of time in the prior application is attached.
16. Conditional Petition for Extension of Time in Prior Application
(complete this item and file conditional petition in the prior application if previous item not applicable)
 a conditional petition for extension of time is being filed in the pending parent application.
NOTE: The PTO finds it useful if a copy of the petition filed in the prior application extending the term for response is filed with the paper constituting the filing of the continuation application. Notice of November 5, 1985 (1060 O.G. 27).
A copy of the conditional petition for extension of time in the prior application is attached.
17. Abandonment of Prior Application (if applicable)
WARNING: (Do not complete this item if the application being filed is a divisional of the prior application which is not being abandoned)
NOTE: "A registered attorney or agent acting under the provisions of § 1.34(a), or of record, may also expressly abandon a prior application as of the filing date granted to a continuing application when filing such a continuing application." 37 CFR 1.138.
Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.
18. Notification In Parent Application of the Filing of This Confirmation Application

35 USC § 120.	
and that all statements made on informati that these statements were made with the like so made are punishable by fine or im	ents made herein of my own knowledge are true ion and belief are believed to be true; and further e knowledge that willful false statements and the aprisonment, or both, under Section 1001 of Title ich willful false statements may jeopardize the vang thereon.
	Andrew S. Langsam
July 10, 1992	Type or print hame of person signing
Date Levisohn, Lerner & Berger 757 Third Avenue	Signature
P.O. Address of Signatory	☐ Inventor
New York, NY 10017	Assignee of complete interest
	Person authorized to sign on behalf of assignee
Tel. No.: (212) 486-7272	Attorney or agent of record Filed under Rule 34(a)
Reg. No. 28,556 (if applicable)	
(Complete the	following if applicable)
Type name of assignee	
Address of assignee	·
Title of person authorized to sign on behalf of assign	 100
Assignment recorded in PTO on	
Reel Frame	
Plus ASSIGNMENT (DOCUM PATENT APPLICATION	ENT) COVER LETTER ACCOMPANYING NEW
	(37 CFR 1.60(b) [4-3] —page 8 of 8)
	(01 0111 1.00(b) [4-0]—page 0 01 0)

A notification of the filing of this confirmation is being filed in the parent application from which this application claims priority under

(Rd.51-3/92 Pub.605) FORM 4-3 . 4-50

TRADEMINE TRADEMINE

927-201-A

17.911405 #5 JT PATENT PRE A 03/03/93

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

		Docket No840.004	
		Anticipated Classification of this application:	
	·	Class Subclass	
٠		Prior application:	
		Examiner: K. Nguyen	
		Art Unit:2506	
Patent Appl	ication		
	ner of Patents and Tradema	rks	
wasningtor	n, D.C. 20231		
	TRANSMITTAL OF F	LING UNDER 37 CFR 1.60(b)	
WARNING:	A c-i-p (continuation-in-part) cannot	be filed under 37 CFR 1.60.	
	WARNING: Filing under 37 CFR 1.60 is permitted only if filed by the same or less than all the inventors name in the prior application.		
	WARNING: The filing of an application as the United States stage of an International Application requires a oath or declaration. 37 CFR 1.61(a)(4).		
WARNING:	of the new confication are drawn	nay be finally rejected in the first Office action where all claims to the same invention claimed in the earlier application and ected on the grounds or art of record in the next Office action if application. MPEP § 706.07(b).	
This is a r	This is a request for filing a		
	Continuation		
Divisional The Control of the Contro			
application under 37 CFR 1.60, of pending prior application			
serial no. 0 7/_773,776 filed on10/10/91			
ofJo	hn B. Fenn, et al	inventor(s))	
for METHOD OF PRODUCING MULTIPLY CHARGED IONS AND FOR DETERMINING MOLECULES WEIGHTS OF MOLECULES CHARGED IONS OF MOLECULES			
	CERTIFICAT	ION UNDER 37 CFR 1.10	
ited with the	United States Postal Service on this ail Post Office to Addressee" 777 US addressed to the: Commis	the documents referred to as attached therein are being deposit dateJuly 10, 1992 in an envelope as service under 37 CFR 1.10, Mailing Label Number scioner of Patents and Trademarks, Washington, D.C. 20231.	

Andrew S. Langsam

(Type or print name of person mailing paper)

(Signature of person mailing paper)

NOTE: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. (37 CFR 1.10(b)).

(37 CFR 1.60 [4-3]—page 1 of 8)



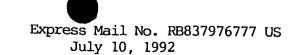
NOTE: 37 CFR 1.60 permits the omission of a declaration only if the prior application was complete as set forth in 37 CFR 1.51(a), namely, the prior application comprised at least (1) a specification, including a claim or claims; (2) a declaration; (3) drawings when necessary; and (4) the prescribed filing fee. Accordingly, as presently worded, 37 CFR 1.60 does not permit this procedure to be used where the prior application is pending but only the processing and retention fee required by 37 CFR 1.21(I) is paid or where the declaration was not filed. 1. Copy of Prior Application as Filed Which is Attached NOTE: Under 37 CFR 1.60 practice signing and execution of the application by the applicant may be omitted provided the copy is supplied by and accompanied by a statement by the applicant or his or her attorney or agent that the application papers comprise a true copy of the prior application as filed and that no amendments referred to in the declaration filed to complete the prior application introduced new matter therein. NOTE: This statement need not be verified if made by an attorney registered to practice before the PTO. (37 CFR 1.60(b)). I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed (37 CFR 1.60). The copy of the papers of prior application as filed which are attached are as follows: 32 page(s) of specification _ page(s) of claims . page(s) of abstract sheet(s) of drawing (Also complete part 6 below if drawings are to be transferred) 2 pages of declaration and power of attorney If the copy of the declaration being filed does not show applicant's signature indicate thereon that it was signed and complete the following: in accordance with the indication required by 37 CFR 60(b) my records reflect that the original signed declaration showing applicant's signature was filed on the amendment referred to in the declaration filed to complete the prior application and I hereby state, in accordance with the requirements of 37 CFR 1.60(b), that this amendment did not introduce new matter therein. 2. Amendments WARNING: "The claim of a new application may be finally rejected in the first Office action in those situations where (1) the new application is a continuing application of, or a substitute for, an earlier application, and (2) all the claims of the new application (a) are drawn to the same invention claimed in the earlier application, and (b) would have been properly finally rejected on the grounds or art of record in the next Office action if they had been entered in the earlier application." MPEP § 706.07(b). _ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.) A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.) NOTE: Only amendments reducing the number of claims or adding a reference to the prior application (Rule 1.78(a)) will be entered before calculating the filing fee and granting the filing date. 37 CFR 1.60(b).

(Rel.48-5/91 Pub.605) FORM 4-3 4-46

NOTE: "When filing under Rule 1.60 retain at least one original claim from the patent application to assure a

(37 CFR 1.60 [4-3]—page 2 of 8)

complete application." Notice of March 3, 1986 (1064 O.G. 37-38).



NOTE: The proper reference to a prior filed PCT application which entered the U.S. national phase is the U.S. serial number and the filing date of the PCT application which designated the U.S.

9. Inventorship Statement

NOTE:	cation perso	continuation or divisional application is filed by le. a a statement must accompany the application wanter or persons who are not inventors of the inventional states. It is a secure in the inventional of the inventional	hen filed requesting deletion of the names of the
		(complete appropriate item	s (a) and (b))
(a) V	Vith re	espect to the prior copending U.S. a nims benefit under 35 USC 120 the inve	oplication from which this application ntor(s) in this application is (are):
		(complete applicable ite	m below)
	k.	the same	
		less than those named in the prior a following inventor(s) identified above	pplication and it is requested that the for the prior application be deleted:
		(Type name(s) of inventor(s) to	be deleted)
(b) T	he inv	entorship for all the claims in this applic	ation are
	kx	the same	
		not the same, and an explanation, in claims at the time the last claimed inventors.	ncluding the ownership of the various ention was made, is submitted.
0. As	signn	ent	
[x] Th	e prior application is assigned of record	to
		John B. Fenn	
] an	assignment of the invention to	•
	is NE	attached. A separate "ASSIGNMENT W PATENT APPLICATION" is also atta	COVER LETTER ACCOMPANYING ched.
NOTE:	"If an a	assignment is submitted with a new application, s d one for the assignment." Notice of May 4, 1990	send two separate letters - one for the applica-) (1114 O.G. 77-78).
1. Fee	e Payı	nent Being Made At This Time	
] Not	Enclosed	
		No filing fee is submitted. (This and 1.16(e) can be paid subsequently).	the surcharge required by 37 CFR
x] End	slosed	
	\mathbf{x}	basic filing fee	\$ 927.00
		recording assignment (\$40.00; 37 CFR	_
		1.21(h))	. \$
	<u> </u>	processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l))	o

NOTE: 37 CFR 1.21(I) establishes a fee for processing and retaining any application which is abandoned for failing to complete the application pursuant to 37 CFR 1.53(d) and this, as well as the changes to 37 CFR 1.53 and 1.78 indicate that in order to obtain the benefit of a prior U.S. application, either the basic filling fee must be paid or else the processing and retention fee of § 1.21(I) must be paid within 1 year from notification under § 53(d).

	from notification under § 53(d).	
	Total fees enclosed	\$ - 927.00
12. M	ethod of Payment of Fees	
[enclosed is a check in the amount of \$_927.00)
	charge Account No in the a A duplicate of this request is attached.	amount of \$
NOTE:	Fees should be itemized in such a manner that is clear for with 1.22(b).	hich purpose the fees are paid. 37 CFR
13. A	uthorization To Charge Additional Fees	
WARN	ING: If no fees are being paid on filing do not complete this item	7.
WARN	ING: Accurately count claims, especially multiple dependent cla extra claim charges are authorized.	ims, to avoid unexpected high charges if
(The Commissioner is hereby authorized to charwhich may be required by this paper and during cation to Account No. 02-2105	
	37 CFR 1.16 (a), (f) or (g) (filing fees)	
	37 CFR 1.16 (b), (c) and (d) (presentation of	extra claims)
NOTE:	Because additional fees for excess or multiple dependent clain tion must only be paid or these claims cancelled by amendment od set for response by the PTO in any notice of fee deficiency authorize the PTO to charge additional claim fees, except poster final action.	nt prior to the expiration of the time peri- (37 CFR 1.16(d)) it might be best not to
	37 CFR 1.17 (application processing fees)	
WÄRN	ING: While 37 CFR 1.17(a), (b), (c) and (d) deal with extensions tion should be made only with the knowledge that: "Subrunder 37 CFR 1.136(a) is to no avail unless a request or padded]. Notice of November 5, 1985 (1060 O.G. 27).	nission of the appropriate extension fee
	37 CFR 1.18 (issue fee at or before mailing to 37 CFR 1.311(b)).	Notice of Allowance, pursuant
NOTE:	Where an authorization to charge the issue fee to a deposit at of a Notice of Allowance, the issue fee will be automatically charge from the notice of allowance. 37 CFR 1.311(b)).	
NOTE:	37 CFR 1.28(b) requires "Notification of any change in status entity status must be filed in the application prior to paying From the wording of 37 CFR 1.28(b): (a) notification of change is paid as "other than a small entity" and (b) no notification is rentity.	or at the time of paying issue fee." of status must be made even if the fee
14. Pc	ower of Attorney	
[The power of attorney in the prior application is t	0
	L. Berger, Reg. No. 24,570; Andrew S. I	angsam, Reg. No. 28,556
Attor	did neity in heriot, negotiati	
a. [The power appears in the original papers in the p	orior application.

(Rel.51-3/92 Pub.605)

(37 CFR 1.60(b) [4-3]—page 6 of 8)

FORM 4-3 4-48

Express Mail No. RB 837976777US July 10, 1992

b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
c. A new power has been executed and is attached.
d. Address all future communications to
Peter L. Berger, et al Levisohn, Lerner & Berger 757 Third Avenue - Rm. 2400 New York, NY 10017 (Item d may only be completed by applicant, or attorney or agent of record)
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Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.
18. Notification In Parent Application of the Filing of This Confirmation Application

A notification of the filing of this confirmation is being filed in the parent application from which this application claims priority under 35 USC § 120.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

	Andrew S. Langsam		
	Type or printyname of person signing		
July 10, 1992	andrew of Laureau		
Date	Signature /		
Levisohn, Lerner & Berger 757 Third Avenue			
P.O. Address of Signatory	☐ Inventor		
New York, NY 10017	Assignee of complete interest		
	Person authorized to sign on behalf of assignee		
Tel. No.: (212) 486-7272	Attorney or agent of record		
	Filed under Rule 34(a)		
Reg. No. 28,556 (if applicable)			
(Complete the	he following if applicable)		
Type name of assignee			
Address of assignee			
Title of person authorized to sign on behalf of ass	ignee		
Assignment recorded in PTO on			
Reel Frame			
Plus ASSIGNMENT (DOCU PATENT APPLICATION	IMENT) COVER LETTER ACCOMPANYING NEW		

(37 CFR 1.60(b) [4-3]—page 8 of 8)

(Rel.51-3/92 Pub.605) FORM 4-3 4-50